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Letter dated 13 December 2001 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

Acting on instructions from my Government, I have the honour to transmit to you herewith the position of the Government of Burundi on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/1072).

I should be grateful if you would have my letter and its annex circulated as a document of the Security Council.

(*Signed*) Marc **Nteturuye**
Ambassador
Permanent Representative

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Annex to the letter dated 13 December 2001 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

Position of the Government of Burundi on the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo

The Government of Burundi has read the report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo (S/2001/1072) which supplements the Panel's first report and would like to draw the Security Council's attention to the following:

1. The Government welcomes the Panel's finding that Burundi is completely cleared of all suspicion of illegally exploiting the wealth of the Democratic Republic of the Congo. Paragraph 101 of the addendum to the report states clearly that "the Panel found no evidence directly linking the presence of Burundi in the Democratic Republic of the Congo to the exploitation of resources." It goes on to state in that same paragraph that the presence of the Burundian army on the lake frontier with the Democratic Republic of the Congo "has been and continues to be directed at blocking attacks from the Burundi rebel groups, particularly FDD [Front pour la défense de la démocratie], which are based in South Kivu and Katanga." The report therefore confirms what the Government of Burundi had always stated and what all observers of good faith knew.

2. During the meeting of the Security Council on the Panel's first report, the delegation of Burundi questioned the existence of an International Monetary Fund (IMF) memorandum referring to the export by Burundi of minerals that it did not produce. Fortunately, the Panel's new report confirms our misgivings: in paragraph 102, the Panel states that it "contacted the Africa Department of IMF, requesting a copy of [the] memorandum" but that "the Panel has not been able to obtain a copy of it."

3. Despite this clear and unambiguous clarification from the Panel, the Government of the Democratic Republic of the Congo continues, as a matter of ritual, to cite Burundi as one of the countries engaged in pillaging Congolese natural resources. This does little to conceal the new report's revelations — which are embarrassing to the authorities of the Democratic Republic of the Congo — regarding the presence of FDD and FNL [Forces nationales pour la libération] groups on Congolese territory and the military assistance they are receiving from the Government of the Democratic Republic of the Congo and some of its allies.

4. Indeed, in paragraph 136 of its new report the Panel states that "Zimbabwe and the Government of the Democratic Republic of the Congo supply arms to the FDD rebels. ... The officers and non-commissioned officers are also trained ' the Zimbabwean army ... in Lubumbashi. In exchange, FDD forces, acting essentially as mercenaries, fight alongside the Mayi-Mayi and ALIR forces ... ." Later on, in paragraph 138, its states that "The head of FDD, Jean Bosco Ndayikengurukiye, is based in Lubumbashi. He is rumoured to control or own mining interest in the Katanga region, the profits from which he uses to cover some of his senior officers' expenses."

5. The Government of Burundi wishes to point out that this is not the first time that a report requested by the Security Council refers to destabilization of Burundi's security from the territory of the Democratic Republic of the Congo by a regional coalition of genocidal and tribal terrorists. In the report of the International Commission on Inquiry established pursuant to resolution 1013 (1995) on Rwanda (S/1998/777), members of the Commission devoted an entire chapter to describing the ties between the former Forces armées rwandaises (ex-FAR) and the Rwandan Interahamwe with the FDD and FNL of Burundi. The investigation was supported by very useful documents (contained in the report) referring to cooperation agreements signed by these Rwandan and Burundian genocidal terrorists. Burundian police forces also have in their possession information on cooperation between the Ugandan Allied Democratic Forces (ADF) rebels of Jamilu Mukulu and the Burundian FDD-FNL terrorist movement.

6. The Government of Burundi asks the Security Council to act on the findings of the missions of inquiry which it initiated itself, especially at this time when the United Nations is playing a lead role in the peace process in Burundi.

7. It is becoming increasingly clear that the intransigence of the FDD and FNL armed terrorists groups is linked to the now confirmed support that they are receiving from some neighbouring countries. It is time for the Security Council and the international community to directly condemn these armed groups and to hold them responsible for the terrorists acts which they are committing against children, school children, women, the elderly, travellers, foreigners and their property and humanitarian personnel. Burundians believe that there is no difference between the barbaric acts of these killers who fear neither God nor man and those of the Revolutionary United Front (RUF) fighters from Sierra Leone or of the União Nacional para a Independencia Total de Angola (UNITA) of Angola against whom the Council has imposed sanctions which have been extended to the countries and organizations that support them. Moreover, since the Burundian terrorists groups are acting as part of a coalition of regional terrorist and genocidal forces, are using the same methods to kill and are inspired by the same ideology, it would be only natural for the FDD and FNL to be listed, along with the Rwandan Army for the Liberation of Rwanda (ALIR), the Ugandan ADF and the Lord's Resistance Army (LRA), on the list of terrorist organizations published by the Government of one permanent member of the Security Council.

8. The Government of Burundi requests the Security Council, the region, the facilitation team and the entire international community, to focus all their efforts on what is today the highest priority in Burundi, obtaining a total and permanent ceasefire. This can only be done by taking specific measures against those who from within and outside the country fuel the war in Burundi, notwithstanding the Burundian Government's good faith and offers of dialogue.

9. Finally, the Government of Burundi reiterates that it is prepared to pursue a dialogue with all neighbouring countries, in particular the Democratic Republic of the Congo and the United Republic of Tanzania in order to work together to find the speediest means of restoring peace in Burundi, in the Democratic Republic of the Congo and throughout the Great Lakes region.